



PUBLIC NOTICE

Federal Communications Commission
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**COMMENTS INVITED ON APPLICATION OF VERIZON NEW ENGLAND INC.;
VERIZON NEW JERSEY INC.; VERIZON NEW YORK INC.; VERIZON
PENNSYLVANIA LLC AND VERIZON VIRGINIA LLC TO DISCONTINUE
DOMESTIC TELECOMMUNICATIONS SERVICES**

WC Docket No. 14-136
Comp. Pol. File No. 1167

Comments Due: October 2, 2014

Section 214 Application

Applicants: Verizon New England Inc.; Verizon New Jersey Inc.; Verizon New York Inc.; Verizon Pennsylvania LLC and Verizon Virginia LLC

On August 14, 2014, Verizon New England Inc., located at 125 High Street – Oliver Tower 7th Floor, Boston, MA 02110; Verizon New Jersey Inc., located at 540 Broad Street, Newark, NJ 07102; Verizon New York Inc., located at 140 West Street, New York, NY 10007; Verizon Pennsylvania LLC, located at 1717 Arch Street, Philadelphia, PA 19103; and Verizon Virginia LLC, located at 22001 Loudoun County Parkway, Ashburn, VA 20147 (collectively Verizon or Applicants), filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue its acceptance of new orders for certain domestic telecommunications services in the Lynnfield, MA; Farmingdale, NJ; Belle Harbor, NY; Orchard Park, NY; Hummelstown, PA and Ocean View, VA wire centers (collectively Service Areas).¹

Verizon states that it is migrating to all-fiber facilities in the above mentioned wire centers and that it has identified certain legacy interstate DS0 special access services that it currently offers within the Service Areas and provides to a very small number of existing customers.² Verizon specifies that these voice and low-speed data transmission services include Bonded Digital Link Service, DIGIPATH Digital Service II, Digital Data Service, Voice Grade Service and WATS Access Line Service (collectively,

¹ See Letter from Frederick Moacdieh, Executive Director – Federal Regulatory Affairs, Verizon, to Marlene H. Dortch, Secretary, Federal Communications Commission, Attach., WC Docket No. 14-136 (filed Aug. 14, 2014) (Application).

² Application at 1-2. According to Verizon, these services impact a “very small number of existing customers and circuits.” *Id.* at 2. Verizon has confirmed with Commission staff that there are a total of fewer than ten customers that are still buying these services and that they are purchasing fewer than twenty circuits.

Affected Services).³ Verizon explains that its Bonded Digital Link Service provides connecting channels for the transmission of voice or data between an end user's local exchange service, terminating at a digital cross connect facility, and special access service provided by Verizon either within the same wire center or at another wire center located within the same LATA.⁴ Verizon describes its DIGIPATH Digital Service II as a channel for the simultaneous transmission of digital data at the rate of 2.4, 4.8, 9.6, 19.2, 56 or 64 kbps where the actual bit rate is a function of the channel interface selected by the customer.⁵ In addition, Verizon asserts that its Digital Data Service provides duplex transmission of synchronous serial data at 2.4, 4.8, 9.6, 19.2 or 56 kbps and that it is also offered at 64 kbps in the Farmingdale, NJ, Hummelstown, PA and Ocean View, VA wire centers.⁶ Verizon indicates that its Voice Grade Service provides voice frequency transmission in the nominal frequency range of 300 to 3000 Hz between customer designated premises or between a customer designated premise and a Verizon hub.⁷ Verizon further explains that its WATS Access Line Service provides voice frequency transmission capability for toll free calling in a limited geographic area and a customer premise to customer premise connection with the combination of WATS Access Connection, a dedicated channel between the customer's end user's premises and a WATS Serving Office equipped with a Switched Access Service arrangement.⁸

Verizon explains, however, that it plans to grandfather and eventually discontinue all of these Affected Services due to decreased demand as customers in these areas have chosen new options and technologies available with Verizon's fiber-based services or competitors' services. Verizon specifies that for purposes of the present application, on or after November 1, 2014 and subject to Commission approval, it plans to grandfather the Affected Services by no longer accepting new orders for these services where they are offered in the Service Areas. According to Verizon, orders for moves, adds, or any other changes to existing services also will no longer be accepted on or after that date except as required by contract. Verizon indicates that, on or after November 1, 2014 and subject to Commission approval, existing customers will be able to continue to receive the Affected Services over fiber facilities in accordance with the terms of the application and the applicable tariffs until they choose to cancel the services or until Verizon separately receives permission to discontinue the services.⁹ Verizon asserts that when it started its migration to all-fiber facilities, less than five percent of the total addresses in the Service Areas were receiving Verizon services over copper facilities and that it has not received new orders for the Affected Services in the Service Areas for over a year. Verizon maintains that customers

³ Application at 1-3. Verizon indicates that its Bonded Digital Link Service, Digital Data Service, Voice Grade Service and WATS Access Line Service are available throughout the Service Areas, but that its DIGIPATH Digital Service II is offered in the Lynnfield, MA; Bell Harbor, NY and Orchard Park, NY wire centers and not in the Farmingdale, NJ; Hummelstown, PA or Ocean View, VA wire centers. Application at 3 n.2.

⁴ Verizon states that its Bonded Digital Link Service is further described in Verizon's FCC Tariff No. 1, Sec. 7.2.8.1 and Verizon's FCC Tariff No. 11, Sec. 7.2.21.

⁵ Verizon states that its DIGIPATH Digital Service II is further described in Verizon's FCC Tariff No. 11, Sec. 7.2.11.

⁶ Verizon states that its Digital Data Service is further described in Verizon's FCC Tariff No. 1, Sec. 7.2.8 and Verizon's FCC Tariff No 11, Sec. 7.2.8.

⁷ Verizon states that its Voice Grade Service is further described in Verizon's FCC Tariff No. 1, Sec. 7.2.3 and Verizon's FCC Tariff No 11, Sec. 7.2.3.

⁸ Verizon states that its WATS Access Line Service is further described in Verizon's FCC Tariff No. 1, Sec. 7.2.3.1 and Verizon's FCC Tariff No 11, Sec. 7.2.10.

⁹ Application at 3-4.

currently can receive alternative services and products from Verizon and other providers that perform the same functions as the Affected Services, including fiber-based Voice Service, FiOS Internet Service, Switched Ethernet Service, Private Internet Protocol Service, DS1 Service, Machine-to-Machine Service and 800 Service. Verizon indicates that it sent notice to current customers by U.S. Mail on or before August 14, 2014. Verizon also states that it is considered dominant with respect to the services to be discontinued.

In accordance with section 63.71(c) of the Commission's rules, Verizon's application will be deemed to be granted automatically on the 60th day after the release date of this public notice, unless the Commission notifies Verizon that the grant will not be automatically effective. In the application and notice to customers, Verizon indicates that on or after November 1, 2014 and subject to Commission approval, it plans to grandfather the Affected Services by no longer accepting new orders for these services where they are offered in the Service Areas. Accordingly, pursuant to section 63.71(c) and the terms of Verizon's application and notice, absent further Commission action, Verizon may grandfather the Affected Services in the Service Areas on or after **November 1, 2014**, in accordance with Verizon's filed representations. The Commission normally will authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

Comments objecting to this application must be filed with the Commission on or before **October 2, 2014**. Such comments should refer to **WC Docket No. 14-136 and Comp. Pol. File No. 1167**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>. Filers should follow the instructions provided on the Web site for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number.

Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. The filing hours are Monday through Friday, 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C140, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicants. Commenters are also requested to fax their comments to the FCC at (202) 418-1413, Attention: Carmell Weathers.

This proceeding is considered a “permit but disclose” proceeding for purposes of the Commission’s *ex parte* rules.¹⁰ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), Carmell.Weathers@fcc.gov, or Rodney McDonald, (202) 418-7513 (voice), Rodney.McDonald@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau. The tty number is (202) 418-0484. For further information on procedures regarding section 214 please visit http://www.fcc.gov/wcb/cpd/other_adjud.

– FCC –

¹⁰ 47 C.F.R. §§ 1.1200 *et seq.*